



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

SEPTEMBER 16, 2019

9:30

Calendar No. 19-195:

4220 West 23 Street

Ward 12

Anthony Brancatelli

18 Notices

George Kafantais, owner, proposes to establish use as daycare in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(g)(3)(C) which states that Day care use in One Family District must be at least 30 feet away from abutting property, and requires approval by the Board of Zoning Appeals after public notice and public hearing, to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgement of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood. (Filed August 2, 2019)

9:30

Calendar No. 19-199:

13900 Miles Avenue

Ward 1

Joseph T. Jones

21 Notices

Nat Services Inc. (AKA Gusto International Ltd.), owner, proposes to demolish part of the building and leave a slab for storage of used salvaged materials in a C1 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.03(c)(33) which states that storage of used or salvaged materials is not permitted in a Semi-Industry District.
2. Section 349.04 (j) which states that 10% of the gross floor area is required for parking and no parking is shown.
3. Section 349.07(a) which states that accessory off-street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces and surfaced with concrete, asphalt, or other acceptable paving material maintained in good condition. No drainage or specific paving detail shown. Driveway aprons must also be shown on plan.
4. Section 341.02 City Planning Commission approval is required as it is in a Design Review District (Filed August 8, 2019)

9:30

Calendar No. 19-201:

9206 Columbia Ave.

Ward 9

Kevin Conwell

27 Notices

Sonya Pryor-Jones, owner, proposes to change use of a single family house to non-profit, community based center for technology fabrication processes, and transient housing for fabricators using the facility in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.02(g)(3)(B) which states that non-profit, community based center for technology fabrication processes must be at least 30 feet away from adjoining premises in a residential district, and requires specific approval by the Board of Zoning Appeals after public notice and public hearing, to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such building and use is appropriately located and designed and will meet a community need without adversely affecting the neighborhood.
2. Section 337.02(a) which states that use of premises for transient, non-permanent housing not permitted in One Family district, first permitted in Multi-Family Residential district. (Filed August 9, 2019)

9:30

Calendar No. 19-203:

2443 Thurman Ave.

Ward 3

Kerry McCormack

11 Notices

Elvis Sugar, owner, and Oliver Flesher, prospective purchaser, propose to erect a 3 story single family residence with an attached front loaded garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(A)(2) which states that attached garages are required to be placed on the rear half of the lot.
2. Section 355.04(a) which states that the Maximum Gross Floor Area shall not exceed 50 percent of lot size or in this case 907 square feet and the appellant is proposing 2,694 square feet
3. Section 357.08(b)(2) which states that the Required Rear Yard is 40 feet and the appellant is proposing 4 feet.
4. Section 357.09(b)(2)(C) which states that the Minimum distance between main buildings on an adjoining lot shall not be less than 6 feet and the appellant is proposing 3 feet/
5. 341.02 (b) City Planning approval is required prior to the issuance of a building permit. (Filed August 13, 2019)

9:30

Calendar No. 19-206:

3977 Wendy Drive

Ward 1

Joseph T. Jones

20 Notices

Quemonte Leonard, owner, and Ariona Peale, tenant, propose to establish use as a Type A daycare in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(g)(3)(c) which states that childcare use in a One or Two Family Residential District is permitted if located not less than 30 feet from any adjoining premises in a residential district and subject to the review and approval of the Board of Zoning Appeals. (August 20, 2019)

9:30

Calendar No. 19-210:

1172 Holmden Ave.

Ward 12

Anthony Brancatelli

12 Notices

Michael English, owner, proposes to erect a garage with a second floor studio apartment in the rear yard of a single family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that Minimum Lot Area is 6,000 square feet and the appellant is proposing 4,026 square feet. This section also states that a Minimum Lot width of 50 feet is required and the appellant is proposing 33 feet. The Minimum floor Area per residential Building is 950 square feet; proposing 616 square feet for the rear building.
2. Section 357.08(a) The Required Rear Yard is 22 feet and the appellant is proposing 10 feet.
3. Section 341.02 (b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed August 13, 2019)

9:30

Calendar No. 18-212:

2430-2436 W. 7th Street

Ward 3

Kerry McCormack

21 Notices

Brian McCreary and Parkhill Associates, owners, propose to consolidate two lots and construct 21 residential units with 21 parking spaces in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08(b)(1) which states that a 50 foot rear yard is required; 8 feet are proposed
2. Section 353.01 which states that the maximum permitted height is 35 feet and 50 feet are proposed.
3. Section 355.04 which states that the maximum gross floor area of the building cannot exceed 1.5 the total lot area; in this case 6,745 square feet are permitted and 49,520 square feet are proposed.
4. Section 355.04 which states that in a 'B' Area District the minimum lot area must equal 2400 square feet per unit or in this case 50,400 square feet are required and 13,490 square feet are proposed.
5. Section 349.15 which states that 2 bicycle parking spaces required; none proposed. (Filed August 28, 2018)

POSTPONED FROM JULY 22, 2019

9:30

Calendar No. 19-144: 1807 West 54 Street

**Ward 15
Matt Zone
9 Notices**

Vanbaker Properties LLC., owner, proposes to construct a second floor addition and a detached garage on a 4120 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that an accessory building shall be located a minimum of 18" from all property lines.
2. Section 357.09 which states that no interior side yard shall be less than three feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than six feet. (Filed June 19, 2019- Testimony Taken) FIRST POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN TO ALLOW FOR TIME FOR THE APPELLANT TO REVISE PLANS.

POSTPONED FROM AUGUST 5, 2019

9:30

Calendar No. 19-117: 2036 West 38 Street

**Ward 3
Kerry McCormack
9 Notices**

Ruby Kumar, owner, proposes to create 4 concrete parking spaces and new drive apron to existing single family The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that all parking spaces shall be located on rear half of lot at 60 feet.
2. 349.05(a) which states that no parking space shall be located within 10 feet of any wall of a residential building that contains ground floor windows.
3. Section 349.07(c)(1) which states that only one such driveway shall be permitted for each 100 feet of frontage of the lot providing such parking spaces. (Filed May 24, 2019- NO TESTIMONY) SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT. FIRST POSTPONEMENT WAS MADE AT THE REQUEST OF THE DEVELOPMENT CORPORATION TO ALLOW TIME FOR FURTHER COMMUNITY REVIEW.